

REMARKS/ARGUMENTS

1.) Claim Amendments

The Applicant has amended Claims 1, 3, and 7; Claim 13 has been cancelled; Claims 14-19 have been added. Applicant respectfully submits no new matter has been added. Accordingly, Claims 1-12 and 14-19 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Examiner Objections - Claims

The Examiner objected to Claim 7 because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 112

The Examiner objected to Claim 3 under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Applicant has amended the claim to correct the insufficient antecedent basis and, therefore, respectfully requests the Examiner's favorable reconsideration.

4.) Claim Rejections – 35 U.S.C. § 102(b)

The Examiner rejected claims 1-13 under 35 U.S.C. § 102(b) as being anticipated by Ericsson Telefon. (WO 99/05828). The Applicant extremely appreciates the remarks provided by the Examiner and has further amended the pending independent claims to more clearly and distinctly claim the subject matter which the Applicant considers as his invention. The Applicant submits that the amended claims are distinguishable and patentable over the cited references.

More specifically, even though Ericsson Telefon (which is owned by the same Assignee herein) may disclose a plurality of queues (buffers) for providing quality of

service (QoS) by controlling the data flow rate of each packet data flow, the overall data flow rate to the mobile station, and the data flow rate for each base station, the Applicant respectfully submits that nothing in Ericsson Telefon discloses the step of a base station communicating "bucket size, bucket leak rate, and bucket full ratio associated with said plurality of packet data flow to a serving GPRS support node (SGSN)." The Applicant submits that nothing in the cited reference discloses or teaches the recited step of communicating the such information (bucket size, leak rate and full ratio) from a base station serving a mobile station to a serving GPRS support node.

As a result, the Applicant respectfully submits that now amended independent Claims 1 and 7 and newly added Claim 14, and their respective dependent claims, are now in condition for allowance.

5.) Prior Art Not Relied Upon

In paragraph 6 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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